

## **REMARKS**

Claims 1, 4-22 and 24-35 were pending in the application. Claims 1, 24 and 32 are independent claims. Claims 32-35 have been canceled herewith.

### ***Specification***

The abstract of the disclosure is objected to because of purported improper content and language.

In response, Applicants have amended the abstract.

### ***Claim Rejections - 35 USC §101***

Claims 24-31 stand rejected under 35 U.S.C. 101 because the claimed invention is purportedly directed to non-statutory subject matter. The examiner maintains that the claims are directed to a *distributed system* and because pages 33-34 of the Applicant's specification describe software, the claims are ineligible for patent protection.

Applicants respectfully disagree. Claim 24 recites a first digital device and a second digital device. A device is per se not software. The examiner should consider the claim as a whole. Reconsideration is respectfully requested.

### ***Claim Rejections - 35 USC §112***

Claims 1 and 4-22 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner noted the following claim language that purportedly lacks antecedent basis:

Claim 1 : the limitation "the event subscription" in line 19 lacks proper antecedent basis.

Claims 4-6: the limitation "the received event messages" lacks proper antecedent basis.

Claim 7: the limitation "the events raised" lacks proper antecedent basis.

Claim 14: the limitation "the event subscription" lacks proper antecedent basis.

Claim 15: the limitation "the event" lacks proper antecedent basis.

Claim 16: the limitation "the event subscription" lacks proper antecedent basis.  
Claim 17: the limitation "the type description language" lacks proper antecedent basis.  
Claim 19: the limitation "event messages" lacks proper antecedent basis.  
In response, Applicants have amended the claims to correct the antecedent basis.

The examiner maintains that in claims 21-22 the limitation "the network" lacks proper antecedent basis.

Applicants respectfully disagree. A network is recited in claim 1. Reconsideration is respectfully requested.

***Claim Rejections - 35 USC § 102***

Claims 24-26, and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho et al (U.S. Patent No. 5,974,417).

Independent claim 24 was amended to recite that one of the digital devices is programmed to:

- determine the order of events on the basis of the subscription based-sequence number within the at least two event messages;
- subscribe to a second event source to create a second event subscription;
- receive another at least two event messages each comprising a subscription based-sequence number and a time stamp from the second event source when second events occur at the second event source;
- determine the order of events within the second event source on the basis of the subscription based-sequence number within the another at least two event messages from the second event source; and
- order the events from the second event source with respect to the first event source on the basis of the time stamp within each of the at least two event messages from the first event source and the another at least two event messages from the second event source.

The examiner has indicated that similar limitations in claim 1 patentably defined over Bracho. Applicants agree and have amended claim 24 to recite subject matter that Applicants submit defines over Bracho.

**DOCKET NO.:** MSFT-0735/183222.01  
**Application No.:** 10/016,900  
**Office Action Dated:** July 31, 2008

**PATENT**

Inasmuch as claims 25-26, and 28-31 depend from independent claim 24, Applicants submit that they also patentably define over Bracho at least for the same reason as their respective independent claim.

***Claim Rejections - 35 USC § 103***

Claims 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bracho et al. (U.S. Patent No. 5,974,417) in view of "Official Notice".

Inasmuch as claim 27 depends from independent claim 24, Applicants submit that it also patentably defines over Bracho at least for the same reason as claim 24.

**CONCLUSION**

In the view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the application for any reason, the Examiner is encouraged to contact Applicants' representative.

Date: December 1, 2008

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